

REMARKS

1. In response to the Office Action mailed December 21, 2006, Applicants respectfully request reconsideration. Claims 1-8 and 10-75 were last presented for examination. Claims 18-75 were previously withdrawn. Claims 1-8 and 10-17 were rejected in the outstanding Office Action. By the foregoing Amendments, claim 1 has been amended. No claims have been cancelled or added. Claims 18-75 remain withdrawn. Thus, upon entry of this paper, claims 1-8 and 10-75 will be pending in this application. Of these seventy-four (74) claims, seven (7) claims (claims 1, 18, 35, 43, 52, 54 and 55) are independent. Based on the above Amendments and following Remarks, Applicants respectfully request that the outstanding objections and rejections be reconsidered, and that they be withdrawn.

Art of Record

2. Applicants acknowledge receipt of the form PTO/SB/08A filed by Applicants on November 29, 2006, which has been initialed by the Examiner indicating consideration of the references cited therein.

Claim Rejections

3. Independent claim 1 and dependent claims 2-8 and 10-17 have been rejected under 35 U.S.C §103(a) as being unpatentable over U.S. Patent No. 6,617,872 to Vogley (hereinafter, referred to as "Vogley") in view of U.S. Publication NO 2003/0120969 to Hawkins (hereinafter "Hawkins.") Based on the above Amendments and following Remarks, Applicants respectfully request that the outstanding objections and rejections be reconsidered, and that they be withdrawn.

4. Claim 1, as amended, recites, in part "[a]n electronic system comprising:

a host controller configured to execute an operating system
and one or more management agents;

a plurality of components configured to provide functionality
for the electronic system; and

a margin testing system for margin testing one or more of the components configured to provide functionality for the electronic system....

5. In rejecting claim 1, the Examiner asserted that Vogley teaches a plurality of components and a margin testing system as recited by independent claim 1. Applicants respectfully disagree for at least the below discussed reasons.

6. As Applicants previously noted, Vogley is directed to an integrated circuit test arrangement for testing integrated circuit devices at a variety of high clock rates. (*See*, Vogley at Abstract.) In the system of Vogley, individual integrated circuits (24 and 25) are plugged into test sockets (30 and 31) to be tested. (*See*, Vogley at col. 2 lns. 57-60.) The integrated circuit is then tested thus allegedly permitting a integrated circuit manufacturer to test large numbers of integrated circuits. (*See*, Vogley at col. 3 lns. 1-6.) As such, Vogley is directed to a specialized piece of equipment for testing integrated circuits, e.g., for quality control purposes, prior to shipment or sale of the integrated circuits. (*See e.g.*, Vogley at col. 1 lns 18-28.) Thus, in the system of Vogley, integrated circuits 24, 25 are temporarily inserted into test sockets 30, 31 of the testing device 20 where they are tested, and if they pass they may be shipped for inclusion in an electronic device.

7. Apparently recognizing that integrated circuits 24 and 25 do not impart functionality to the system of Vogley, the Examiner relied on column 3 lines 7-16 and FIG. 1 of Vogley in asserting that Vogley discloses a plurality of components configured to provide functionality for an electronic system. (*See*, Office Action at 7). This portion and figure of Vogley disclose that the system of Vogley includes a workstation 55, clock distribution block 58, a power supply 62, SCI links 70, 72, 74, 76, and an SCI drier arrangement and that these components may provide functionality to the system of Vogley. Vogley, however, nowhere discloses margin testing any of these components. Further, integrated circuits 24 and 25, although illustrated in FIG. 1 of Vogley, are not mentioned in the cited portion of Vogley, and even if they were and as apparently recognized by the Examiner, Vogley does not teach or suggest anywhere that these integrated circuits provide functionality to the system of Vogley. Rather, integrated circuits 24 and 25 are merely temporarily inserted in the system of Vogley for testing purposes.

8. In rejecting claim 1, the Examiner also cited to col. 4 lines 1-2 and FIG. 1 of Vogley, in asserting that Vogley teaches a margin testing system as claimed. (See, Office Action at 7.) Although this cited portion of Vogley uses the term “margin,” it does not teach or suggest margin testing any of the functional components identified in col. 3 lines 7-16 of Vogley. Rather, as noted above, Vogley merely teaches margin testing of the temporarily inserted integrated circuits 24 and 25 that do not impart any functionality to the system of Vogley.

9. Applicants therefore respectfully submit that Vogley fails to teach or suggest “an electronic device comprising: a host controller ..., a plurality of components configured to provide functionality for the electronic system; and a margin testing system for margin testing one or more of the components of the electronic system...,” as recited by claim 1.

10. Applicants also respectfully submit that Hawkins, the secondary reference relied on by the Examiner in rejecting the claims, does not cure this defect. In the Office Action, the Examiner merely relied on Hawkins merely for allegedly disclosing a BMC that monitors a response of an electronic system. Hawkins, however, like Vogley fails to teach or suggest an electronic system comprising a margin testing system, as recited by claim 1.

11. Applicants accordingly respectfully submit that claim 1 is in condition for allowance for at least the reason that the cited references, whether taken alone or in combination, teach or suggest “[a]n electronic device comprising: a host controller ..., a plurality of components configured to provide functionality for the electronic system; and a margin testing system for margin testing one or more of the components of the electronic system...,” as recited by claim 1.

The Examiner has Failed to Provide Evidence of a Motivation to Combine

12. In rejecting independent claim 1, the Examiner stated that it would have been obvious to one of skill in the art to modify Vogley to include the teachings of Hawkins because “adding a baseboard management controller would have allowed the skilled artisan to provide intelligence to the platform management as well as managing the interface between system management software and the platform management hardware, providing autonomous monitoring, event logging, and recovery control and serves as the

gateway between system management software and a management bus.” (See, Office Action at 8.) In support the Examiner pointed to paragraph 15 of Hawkins. (See, Office Action at 8.)

13. This alleged motivation, however, is deficient for at least the reason that it fails to provide a motivation to combine the references in the manner recited by Applicant’s claim 1. Rather, this section merely provides a reason to use BMCs in general. It, however, fails to explain why one of skill in the art might be motivated to use a BMC to monitor the response of the components under test in the testing device of Vogley.

14. As such, Applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness for at least the reason that the Examiner has failed to establish a motivation in the references evidencing a motivation to combine the references in the manner claimed. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection under §103 for at least this reason.

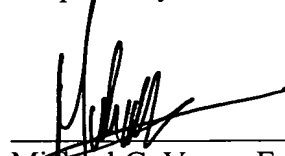
Dependent Claims

15. The dependent claims incorporate all of the subject matter of their respective independent claims and add additional subject matter which makes them *a fortiori* independently patentable over the art of record. Accordingly, Applicants respectfully request that the outstanding rejections of the dependent claims be reconsidered and withdrawn.

Conclusion

16. In view of the foregoing, this application should be in condition for allowance. A notice to this effect is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael G. Verga', is written over a horizontal line.

Michael G. Verga, Esq.
Registration Number 39,410
(703) 591-2664

March 21, 2007